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8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
10 **SAN JOSE DIVISION**
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12 KERRY LANGSTAFF, et al.,
13 Plaintiffs,
14 v.
15

16 MCNEIL CONSUMER & SPECIALTY, et
17 al.,
18 Defendants.
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Case No. CV-03-1116-JF
ORDER OF DISMISSAL

20 The parties hereto, by their counsel, have advised the Court
21 that they have agreed to a settlement of this case.

22 IT IS HEREBY ORDERED that this cause be dismissed with
23 prejudice; however, that if any party hereto shall certify to
24 this Court, within ninety days, with proof of service of a copy
25 thereof, that the agreed consideration for said settlement has
26 not been delivered over, the foregoing ORDER SHALL STAND VACATED
27 and this cause shall forthwith be restored to the calendar to be
28

1 set for trial.

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4 DATED: 11/15/04

5 /s/electronic signature

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7 JEREMY FOGEL
8 United States District Judge
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